

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Toy, et. al.  
SERIAL NO.: 09/778,387  
FILING DATE: February 6, 2001  
TITLE: INPUT CIRCUIT FOR VACUUM ELECTRON DEVICE RF  
AMPLIFIER  
EXAMINER: Not yet assigned.  
ART UNIT: 2817

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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Office of Initial Patent Examination's Customer Service Center, Commissioner for Patents, Washington, DC 20231, on the date printed below:

Date: 4/17/01Name: Danette Lindstrom  
Danette Lindstrom

OFFICE OF INITIAL PATENT EXAMINATIONS  
CUSTOMER SERVICE CENTER  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

REQUEST TO CORRECT FILING RECEIPT

It is respectfully submitted that the Filing Receipt for the above-identified patent application has an error.

The applicant's name is misspelled; the correct spelling is "**Edmund T. Davies**" and not "Edmund T. Davis" as indicated on the Filing Receipt. Please amend the Filing Receipt and other appropriate records to reflect the correct spelling for the referenced patent application as "**Edmund T. Davies**". A copy of the Declaration and Power of Attorney is enclosed showing the correct spelling.

The title is incorrect; the correct title is **“Input Circuit for Vacuum Electron Device RF Amplifier”** and not “Input Circuit for RF Amplifier” as indicated on the Filing Receipt. Please amend the Filing Receipt and other appropriate records to reflect the correct title for the referenced patent application as **“Input Circuit for Vacuum Electron Device RF Amplifier”**. A copy of the Declaration and Power of Attorney is enclosed showing the correct title.

In the event any additional fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached document timely, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-1698. A duplicate copy of this page is enclosed.

Respectfully submitted,  
THELEN REID & PRIEST LLP



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David B. Ritchie  
Reg. No. 31,562

Dated: April 17, 2001

THELEN REID & PRIEST LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
(408) 292-5800

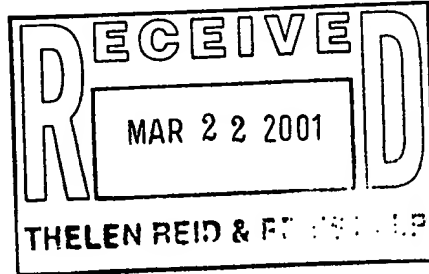


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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/778,387	02/06/2001	2817	0.00	EIMC-018	16	31	10



CONFIRMATION NO. 4513

FILING RECEIPT



\*OC000000005858435\*

Date Mailed: 03/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Wilson W. Toy, Residence Not Provided;  
Christopher Yates, Residence Not Provided;  
Paul Krzeminski, Residence Not Provided;  
Robert N. Tornoe, Residence Not Provided;  
Edmund T. ~~Davis~~  
*Davies*

**Continuing Data as Claimed by Applicant**

THIS APPLN CLAIMS BENEFIT OF 60/180,798 02/07/2000

**Foreign Applications**

If Required, Foreign Filing License Granted 03/12/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

CPI ☒  
Excel ☐

**Title**

*Vacuum Electron Device*  
Input circuit for RF amplifier

Reviewed By: *DS* Date: *4/10/01*  
No Action Required: ☐  
Action Required: ☒

**Preliminary Class**

330

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**Data entry by : AMARE, TSION**

**Team : OIPE**

**Date: 03/13/2001**





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CONFIRMATION NO. 4513



Bib Data Sheet

<b>SERIAL NUMBER</b> 09/778,387	<b>FILING DATE</b> 02/06/2001 <b>RULE</b>	<b>CLASS</b> 330	<b>GROUP ART UNIT</b> 2817	<b>ATTORNEY DOCKET NO.</b> EIMC-018
<b>APPLICANTS</b> Wilson Wai Toy, San Francisco, CA; Christopher Paul Yates, Boulder Creek, CA; Paul Allen Krzeminski, San Mateo, CA; Robert N. Tornoe, Sunol, CA; Edmund Thomas Davies, Orinda, CA;				
<b>** CONTINUING DATA *****</b> THIS APPLN CLAIMS BENEFIT OF 60/180,798 02/07/2000 <b>** FOREIGN APPLICATIONS *****</b>				
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 03/12/2001</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance		<b>STATE OR COUNTRY</b> CA	<b>SHEETS DRAWING</b> 16	<b>TOTAL CLAIMS</b> 31
Verified and Acknowledged <u>                    </u> Examiner's Signature <u>                    </u> Initials		<b>INDEPENDENT CLAIMS</b> 10		
<b>ADDRESS</b> David B. Ritchie Thelen Reid & Priest LLP P. O. Box 640640 San Jose ,CA 95164				
<b>TITLE</b> Input circuit for vacuum electron device RF amplifier				
<b>FILING FEE RECEIVED</b> 1598	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

**DECLARATION & POWER OF ATTORNEY****RECEIVED**

SEP -4 2001

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name. **TC 2800 MAIL ROOM**

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

**"Input Circuit for Vacuum Electron Device RF Amplifier"**

The specification of this subject matter:

- ☐ is attached hereto.
- X was filed on February 6, 2001;
- X was assigned serial No.09/778,387

which was amended on . \_\_\_\_\_;

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Priority Claimed

Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No



I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
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Application Number	Filing Date
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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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I hereby appoint David B. Ritchie, Registration No. 31,562; Marc S. Hanish, Registration No. 42,626; John P. Schaub, Registration No. 42,125; Gerhard W. Thielman, Registration No. 43,186; Adrienne Yeung, Registration No. 44,000; Steven J. Robbins, Registration No. 40,299 and William Samuel Niece Registration No.: P47,824 as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Please send all correspondence and direct all telephone calls to:

David B. Ritchie  
Thelen Reid & Priest LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Telephone (408) 292-5800

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Wilson	Wai	Toy	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	San Francisco	California	United States of America	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	1642 22 <sup>nd</sup> Avenue	San Francisco	California	94122

FULL NAME OF INVENTOR 2	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Christopher	Paul	Yates	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	Boulder Creek	California	United States of America	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	250 Alto Drive	Boulder Creek	California	95006

FULL NAME OF INVENTOR 3	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Paul	Allen	Krzeminski	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	San Mateo	California	United States of America	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	1716 Klamath Avenue	San Mateo	California	94403

FULL NAME OF INVENTOR 4	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Robert	N.	Tornoe	
RESIDENCE AND CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	Sunol	California	United States of America	
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	P. O. Box 278	Sunol	California	94586

FULL NAME OF FIRST Name  
INVENTOR 5

MIDDLE Initial(s)

LAST Name

EdmundThomasDaviesRESIDENCE AND City  
CITIZENSHIP

State or Foreign Country

Country of Citizenship

OrindaCaliforniaUnited States of AmericaPOST OFFICE Number and Street  
ADDRESS

City

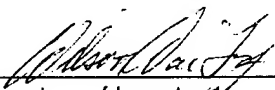
State or Country

Zip Code

58 Stanton AvenueOrindaCalifornia94563

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

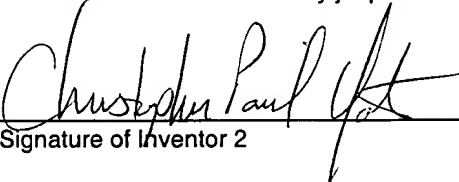
Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Signature of Inventor 1

3/16/2001

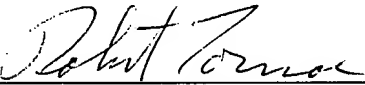
Date



Signature of Inventor 2

3/19/01

Date



Signature of Inventor 3

3-19-01

Date



Signature of Inventor 4

3/19/01

Date



Signature of Inventor 5

Date

**37 C.F.R. §1.56****Duty to disclose information material to patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.